THE CENSUS.

Everything Prepared for Taking It on the 1st of June.

Full Statement of the Information Required by the Government.

Names, Ages, Color and Description of the Population.

Value of Property and Agricultural and Industrial Products.

The taking of a census every decade of years involves the answering of two questions—Has the population of the country decreased or increased and personal property of the people? There are, of course, minor questions, such as those relating to religious, literary or educational progress, but the two specifically mentioned contain the most importwo specifically mentioned contain the most immor-tant information desired by government, for it fol-lows as a matter of coarse that so long as popula-tion multiplies and property increases in value the intellectual progress of a nation keeps pace with these evidences of prosperity. Morally there may be eople and consequent establishment of large entres of population tend directly to impair the moral standing-that is, while in the aggregate religion and morality increase vastly, proportionately they decrease. For instance, when the United States contained but six millions of inhabitants there was a higher order of morals than at the present time, when they contain forty millions. This fact, however, is so patent that it scarcely re-

HOW THE POPULATION WILL BE NUMBERED. On the first day of June next the census takers will begin their rounds in their respective sub-dicity or country, and each manufacturing establishment, as also such other places as it may be necessary to obtain information from. Reginning with the population he puts certain questions which are printed on pages of paper marked "Schedule 1." His first duty is to number the dwelling nouses in the order of visitation and to number the families conthat house No. 1 contains one family. census taker, who is an employed assistant of the United States Marshal, upon which official de volves the duty of taking the census, records the name of every person whose place of abode on the first day of June, 1870, was in this family. A description of each person is recorded, and includes his or her age at last birthday, but if under one year, the onths are simply given, Furthermore the sex must be stated, if male with the letter "M," if female with the letter F. The color of the person is a "B," if mulatto with an "M," if Chinese with a "C," and if Indian with an "L." The importance these questions are self-apparent. They enable the government to ascertain the name, age and color of every person, from infancy to old age, and it is therefore imperative upon the people to answer each question truthfully. Maiden ladies and widows of doubtful ages should not confuse the government pon their being not more than twenty-five years ld. while old beaux of sixty must honestly say staty and not stick at forty. Reliability being the aim and desire of the authorities, all citizens will perceive the necessity answering truthfully.

PROPESSIONS, OCCUPATIONS AND TRADES. In the foregoing six questions the number of per-sons in each family is obtained, and, strictly speaking, the census of population is taken. But it is desirable that the profession, occupation or trade of each person, male or female, shall be obtained, and to this end a question concerning this desideratum will be put. If the person is a lawyer, a shopkeeper or a carpenter, he simply states the fact for record. Where there is no business the answer is "none," esires to inform the government that he is a "gentle man," which means everything, from a person who who spends his time in fighting the tiger. Seriously, however, it being desirable to learn what the various

REAL AND PERSONAL PROPERTY.

The eighth and ninth inquiries refer to the value of real estate and personal property owned by each person-not the value assessed by government for taxes, but the value put upon such property either by the owner himself or by the market. For exam

taxes, but the value put upon such property either by the owner himself or by the market. For example—A person may own a house and lot worth \$10,000, but which the tax assessors value at \$4,000. He should report the value at the first named figures to the census takers, so that it may be ascertained what was the cash value of all the real and personal property in the county, State and throughout the republic on the lat of June of the present year.

PLACE OF BIRTH, PARENTAGE, ETC.

The next inquiry of importance is the tenth, which requires the place of birth of each person; if a native of the United States, the name of the State or Territory must be given; if of foreign birth, the name of the country in which born. Inquiries eleven to seventeen, in schedule one, relate to parental, social and educational matters. The eleventh and twelfth require the information whether the parents of the person were of foreign birth, and are under two lines, one being for the father and the other for the mother, so that in cases where one parent was born, say in Europe, and the other was a native, the fact may be recorded appropriately. Where the person was born within the year the month should be given (January, February, &c.), in answer to inquiry thirteen, and if married within the year the month when this interesting event took place should also be stated. In this connection we would call attention to what seems to be an omission in this schedule. No inquiry is made as to the social condition of the person, except where he or she has been married within the year. This is an important fact to ascertain. When the last census was taken all persons were required to state whether they were single, married or widowed. We would call the attention of the United States Marshal to this apparent error.

Inquiries fifteen, sixteen and seventeen refer to attendance at school within the year and to want of educational attainments, as whether the person cannot read and cannot write. Inquiry eighteen is whether the person is deaf and dumb,

answer.

CONSTITUTIONAL RELATIONS.

Under this head are the nineteenth and twentieth inquiries, which conclude all to be answered in schedule one. The one requires information regarding male citizens of the United States of twenty-one years of age and upwards. This is a very proper inquiry, as it enables the government to ascertain the voting population of the republic at the present time, and, as regards New York city in particular, will set at rest the charges of mand in connection with our election. The pertinence of the twentieth and last inquiry is not so apparant. It requires information regarding "male citizens of the United States of twenty-one years of age and upwards, whose right to vote is denied or abridged on other grounds than rebellion or other crime." This doubtless includes persons living in States where a property or educational qualification is demanded by their constitutions, and persons incapacitated by reason of allments, such as madness, &c., and in this respect is proper. It would also be interesting and important to learn how many persons are denied the right to vote because of "rebellion or other crime."

QUESTIONS NOT TO BE ASKED OR TO WHICH THE AN-QUESTIONS NOT TO BE ASSED OR TO WHICH THE ANSWERS ARE OPTIONAL.

It seems, from a note at the top of Schedule 1, that the inquiries relating to profession, occupation or trade and to educational attainments were not to be asked in respect to infants." It would also seem to be optional to persons whether to state if their parents were of foreign birth, if they attended school withm the year, if they can read or write, and what their constitutional relations are, because the note states that these inquiries are to be answered merely by an affirmative mark, as f, if at all. We may, however, be in error, and, as refusal to give the information involves a beavy fine, we would advise everybody to reply to all the inquiries without exception.

VITAL STATISTICS.

without exception.

VITAL STATISTICS.

Schedule No. 2 is devoted solely to a list of persons who died during the year ending June 1, 1878. As in the first schedule, the number of the family is given; then follows the name of every person who died during the year whose place of abode at the time of death was in this family. The age at last burnhay (where an infant the number of months), the sex, color and condition—that is, whether single, married or widowed. Also the place of burn, whother foreign or native, naming the State, Territory or foreign country; the nativity of the parents, the month in which the person died, the profession, occupation or trade and the disease or cause of death. This table will prove of great value to medical men and to science in general. The inquiries are

simple and will be readily answered, and, being divested of the formidable disquisitions on "zymotics" which Dr. Harris used to indulge in weekly, will prove a source of much interest and instruction to all concerned in the health of our population.

PRODUCTIONS OF AGRICULTURE.

The third senedule is devoted to the rural districts and is tuit of inquiries of importance. It requires the name of the agent, owner or manager of the property, the number of acres of improved land and the number of acres of woodland and other unimproved. Next in order, inquiry is made of the present cash value of the farm, and the same of the farming implements and machinery. By way of ascertaining the expenses incurred in working each farm inquiry is made of the total amount of wages paid during the year, including value of board. Under the head of "Live Stock, June 1, 1870," are spaces in which mast be written, under their appropriate sub-heads, the number of horses, mules and asses, milch cows, working oxen, other cattle, sheep and swine, and the value of all live stock on the farm on the date mentioned.

Next in order, and of much importance, is the pro-

working exen, other cattle, sheep and swine, and the value of all live stock on the farm on the date mentioned.

Next in order, and of much importance, is the produce of the farm during the year ending June 1, 1879. This includes the number of busnels of spring and winner wheat, for yet, indian corn, oats, barley and buckwheat, pounds of rice and of tobacco, takes of cotton, estamsting 400 pounds to the baie; pounds of wool, bushes of peas and beaus, and of irisa and sweet potatoes. In addition, the products of the organd must be given in dollars, the number of gallons of wine produced, and the amount in dollars of the produce of market gardens. In the matter of dairy products, butter and cheese must be recorded in pounds, and milk sold in gallons. Hay must be given in tous, and of seed clover and grass in bushels. Of the other productions of a like nature, liops must be reported in pounds, hemp in tous, fax in pounds, flaxseed in bushels and sik coccons in pounds. Sugar comes under a separate sub-head, and must be reported so as to give that manufactured from maple by pounds and that from cane by hog-heads of one thousand pounds. The products of bees, comprising wax and honey, must be stated by pounds. Forest products, value of home manufactures, value of animals slaughtered or sold for slaughter it is necessary to report in doilars. After all these inquiries have been answered, the estimated value of all farm production, including betterments and additions to stock, must be given in dollars. For the purpose of enabling the reader to clearly understand how the third schedule let us suppose that the production of the larm for the year was of ree 240 bushels, of Indian corn 96, of oats 750, of barrley 215 and buckwheat 194. These figures will be recorded as follows:—

Rye.	Corn-	oats.	Barley.	Buck- weat.
240	965	750	215	184
of course	the prod	note of th	no poyt for	m of the

Of course the products of the next farm, of the same articles, would be recorded on the line next to that on which the products of the farms already visited are recorded.

PRODUCTS OF INDUSTRY.

Next in importance to that of agriculture are our industrial products, and to these are devoted tae fourth schedule. As with the other the inquiries refer only to productions during the year ending June 1, 1870. To begin with, the name of the corporation, corrigany or individual producing to the value of \$400 annually is required, and after that the name of business, manufacture or product, and the capital, whether real or personal or both, invested in the business. Under the nead of "Motive Power" it is desired to know what kind of power is used, we atter the number of horse power. If machines are used their name or description and the number in operation are necessary. To ascertain the extent, cost and amount of labor of such business inquiry will be made of the average number of hands employed, including males above slatteen years, females above litteen years and children and youth; also the total amount paid in wages during the year and the number of months in active operation, reducing part time to full time. To ascertain the materials used in the business, whatever it may be, and including mill supplies and fuel, the kinds and quantities and their values, omitting fractions of a dollar, must be stated. There remains, then, nothing more on schedule four to answer but the linquiry regarding production, including all jobbing and repairing, which must be reported in kinds and quantities and in value, omitting fractions of a dollar, substantially as in the case of materials.

Schedule five is devoted to social states, and is of great importance as showing the financial, moral and intel-ectual progress of the people. It begins by inquiring of the valuation of real and personal estate, how they are availed and their rive valuation. Next inquiry is made of the pablic debt, including the county debt, for which bonds have b

As regards newspapers and periodicals, which comprises inquiry number eight, it is necessary to state their names and character, how often they are published, and their average circulation. Editors who are in the habit of claiming a circulation of several thousand more copies than their papers actually possess are requested to be honest for once in their tives and answer this luquiry truthfully.

fully.

WAGES.

Under the head of wages, which, from the seventh inquiry, it must be stated what are the average wages to jarm hands per month, hired by the year and consided; average wages of a day laborer without board, and the same with board; average payment to a carpenter per day without board; average wages to a female domestic per week without board, and average price of board to a laboring mat per week; the whole, of course, to be given separately in dollars.

the whole, of course, to be given separately in dollars.

Colleges, academies and schools.

The information required respecting our educational institutions can be readily given, involving as it does but few inquiries, and these of a very simple order. It is necessary to state the average number of teachers, male and female, the average number of teachers, male and female, the average number of pupils of each sex and the income for the year ending June 1, 1870, for endowment, taxation, public funds and from other sources, including united in the income for the year ending. In the character, rank or kind of the school mass be given mader the following heads:—Classical, including universities, colleges and academies; Professional, including law, medicine, theology, technological, schools of mining, schools of art and music, commercial and military. The public schools must be reported whether normal, ligh, grammar, graded common or ungraded common. The private schools must be reported whether normal, ligh, grammar, graded common or ungraded common. The private schools must be reported whether day or boarding. To these educational institutions are added inquiries respecting parochial and charity schools. This part of schedule five appears to us very full. Nothing is left undone towards obtaining full and accurate information of our schools, and if the persons called upon for such information reply fairly to each inquiry a vast amount of interesting facts will be gathered together on one of the most important of subjects.

Very fittle is demanded under this head. The m-

important of subjects.

RELIGION.

Very little is demanded under this head. The inquiries are confined to the number of church organizations, number of church edifices, the denominations, the total number of persons which the churches of each denomination will accommodate and the value of church property. At the time the Census bill was before Congress it was suggested that each person be required to state what his renjous besief was, or rather what religion be professed, but the suggestion was rejected on the ground of its prying into the human conscience, so that is was finally decided to ignore the spiritual part of religion and confine hie inquiry to the material part, in the shape of churches, their accommodation and value.

The third Pedestrian Congress assembled yester day at the Capitoline grounds, Brooklyn. It was well attended by the sporting fraternity of this city and elsewhere. But little enthusiasm was manifested. Owing to the condition of the ground the who witnessed the wrestling and other feats was dampened by frequent showers of rain. The followdampened by frequent showers of rain. The following shows the result of the different contests:—Four mile walking match, prize a silver cup, six entries; won by Edward Wigzell in 35 mm. 3 sec. One naile velocipedo race: prize a silver cup; Fred Edbrooke winner in 4 min. 50 sec. Walking match, one-half mile, prize \$50, between William cassin and George F. Jervis: won by Cassin in 4 min. 35 sec. Four mile handleap walking race for the Championship Cup. There were seven entries in this race, and a sharp rain drenched the contestants. It was won by Edward Wigzell. One hundred yard champlonship face, prize a championship belt, was won by William Goode. Time, to sec. One mile running race for the championship; won by Patrick Fitzgerald. Time, 5 mm. Two hundred yards' anatem race; won by William Fitzgerald. Time, 24 sec. The two mile velocipade race did not come of, as Edbrooke refused to run. One-half mile running race; won by Patrick Fitzgerald. Time, 2 min. 46 sec.

A REPUBLICAN CORONATION.

Closing Day of the Prospect Park Tournament-A Pleasant and Brilliant Gathering-How the Sir Knights Acquitted Themselves and Who Won the Prizes-Crowning the Queen of Love and Beauty.

The second and concluding tournament at the Prospect Park Fair Grounds yesterday afternoon drew out a large and brillmut attendance, but not large as on the first day, which no doubt was due to the threatening aspects of the weather, and not to lack of interest in the daring equestrian exploits of our modern knight errants. Carriages rolling in, laden with represen-tatives of the world of beauty and fashion, the crowds thronging the spacious porches of the club house and the grand stand; the gallant knights in their rich and variegated attire, set off with gay their prancing steeds, and the heraids and marshals dashing to and fro at a mad pace on mettlesome

This opened the performances. Mayor Kalbfielsch. of Brooklyn, led off; but, fortunately, if he rides any hoboy it is not that of making long speeches, and neither does he talk very loud. We could not hear the few words he said, but those near him an-

nounced it as something very good and pertinent

hear the few words he said, but those near him announced it as something very good and pertinent by their boisterous cheering. Not so with Colonei Dawson. His voice, deep and sonorous, fairly resounded through the vast extent of the Park grounds. He alluded to the fact that most of the sir knights who were to participate in the tournament were Southerners, and their coming here from their far distant homes to assist in inaugurating the tournament on the soil of the North he considered an evidence of growing carnest of unity between the people of these extreme sections. He spoke at some length and was warmly appianded.

The Tournament.

After the speechmaking the tournament began. The formalities were in every respect the same as on the op ning day of the tournament, and which, having then been fully described in the Herkallo, need not be described again. The judges, Wim. M. Parks, ex-Mayor Gunfher. Colonel S. D. Bruce, Dr. Charles H. Williamson and D. M. Hiddreth, took their places on the judges' stand, a loud biast was blown from a bugle, and the exciting contest began. The following were the contesting knights:—Knight of Virginia, Horace Bailey, Virginia; Knight of Westmoreand, A. Brockenbrough, District of Columbia; Knight of the Olid Dominton, Dr. C. A. Pox. Virginia; Knight of Hereford, R. H. Hereford, Maryland; Knight of Mariborough, W. A. Jarboe, Maryland; Knight of He Biue Ridge, J. N. Gallagner, Virginia; Knight of He Biue Ridge, J. N. Gallagner, Virginia; Knight of Hereford, R. H. Hereford, W. G. Bailey, Virginia; Knight of the Highlands, Theodore Moster, Jr., District of Columbia; Knight of New York City, S. P. Maury, New York Knight of New York City, S. P. Maury, New York Knig

New York City, S. P. Maury, New York; Knight of Black Plume, James W. Walsh, District of Columbia.

All the riding was dashing and spirited. The time for running the distance, which was 100 yards—the same as before—was reduced from tweive to nine seconds. As each had three trials at lancing the ring in the contest for the first prize, it look some time to get through. A portion of the time the rain poured down in heavy torrents; but, though this dampened the elegant costumes of the riders, it did not dampen their spirits.

Those bearing away the prizes were Dr. C. A. Fox, Knight of the Old Dommion, who took the first prize, a very fine horse; R. H. Hereford, Knight of Hereford, who captured the second prize, gold watch, set off with brillants; James W. Walsh, knight of Black Plume, to whom was awarded the third prize, an elegant itady's gold watch, also studded with diamonds, and R. H. Marshall, Knight of Maryland, who won the fourth prize, a splendid set of gold stude and beautiful pair of sleeve buttons. It was difficult to tell which to admire most—the modesty of the victors or the amiability of the vanquished. The liveliest outbursts of applause greeted the victors, and for that matter these external manifestations of delight and cheering were almost continuous while the tournament lastee.

CROWNING THE QUEENS OF BRAUTY.

Concluding the afternoon's pleasant entertainment—and it was pleasant, notwithstanding the intervening showers of rain, and which collinated in a drenching storm at its close—was erowning the Queens of Beauty. The ceremonles attendant upon this crowning event of the day took place in the tailroom of the citab house. The "Queen of Love," who was selected by Eddis Gallagher, Knight of Shannondale, who won the first prize at the first day's tour nament, was Miss F. Barker, of Brooklyn, a beautifully bewitching, blue-eyed blonde, who was most neatly and tassefully attired in a light green silk dress, with overskirt of white talle, a ruffield lace collar and a jaunty bonnet, with a white feathe deal mercufully with their devoted subjects.

THE RECENT MALPRACTICE CASE.

No Claim for the Victim's Remains-Another Deposition—Damaging Testimony Against

Captain Mount, of the Seventeenth precinct, is till engaged in working up the case of malpractice recently brought to light at the house of Michael A. A. Wolff, 182 Seventh street, particulars of which have heretofore appeared in the HERALD. As yet no relatives or friends of the deceased woman

have heretolore appeared in the Merallo. As yet no relatives or friends of the deceased woman wao assumed the name of Mrs. Hunt have appeared to claim the remains for interment, and they will be buried, so that if desirable hereafter friends can receive them. Suspicions seem strongly directed against Dr. Wolff, at whose house the woman died, from the fact that after her death he requested Dr. Wyler to write out a certificate, which was decidedly cool, considering that Dr. Wyter knew little or nothing of her last illness. Subjoined will be found the principal facts set forth in the affidavit of Dr. Wyler, who had been called to see the deceased and found her in a dying condition.

Emil Wyter, M. D., of 294 Third street, deposed that he knew M. A. A. Wolff, of No. 182 Seventh street; on Priday morning last, about two o'clock, witness was called by a man and woman to see deceased, they stating that she was sick at 182 Seventh street, and Dr. Wolff whised to consult with him; the witness obeyed the summons, and was ashered into the room by Dr. Wolff; found there a sick woman, whose pulse was beating so rapidly that he could not count it; her skin was cold and moist, and everything indicated that she was moribond; Wolff stated that she had hired tooms there on Saturday and had taken sick on Monday; that he had given her opinim and other drugs; witness told him the woman was in a dying condition and advised him to give misk and quinine; Wolff asked the witness to examine the woman, but he decimed to do so, as she was in a dying condition. The next morning Wolff called at the office of witness and asked him to write a certificate of death, which he of course refused to do.

THE QUARANTINE COMMISSION.

The Falcon to be Sold and the Illinois to be

Used as the Hospital Ship. Quarantine Commissioners met yesterday afternoon in their new rooms in Exchange Court. Commissioners Bell, Bouton and Hunt were the only Commissioners present. The committee to whom was referred the subject of disposing of the hospital ship Faicon reported that the vessel should be sold and the proceeds paid in to the State Quarantine fund, and that the Illinois should take her place as

fund, and that the Illinois should take her place as the hospital ship.

The following communication was received from Health Officer Carnochan and ordered on file:—

HEALTH OFFICER'S DEPARTMENT, QUARANTINE, S. 1., May 24, 1870.

To the Commissioners of Quarantine:—
GENTLEMEN—Having made a careful examination of the hospital snips Falcon and Illinois, I have selected the latter for service as as a boarding station in the lower buy, deeming the Falcon of doubtial scaworthiness. From my examination of the Falcon and the reports of those competent to judge I have great doubt whether she can ever again be used for quarantine service without an outlay upon her which would not be justifiable. As 16 will cost the State upwards of \$2,000 a year for wharfage and wages of a shipkener to retain nor where she now is, I therefore recommend her saic. Respectivity yours,

fore recommend her sale. Respectfully yours, J. M. CARNOCHAN, Health Order. After transacting some routine business the Com-missioners adjourned.

A WASHINGTON MARKET THEF.

Mr. James P. Townsend, of 125 Washington street, Jersey City, came to Washington Market yesterday morning with a horse and wagon to buy meat. Having purchased his meat he left the wagon for a few magnetises and a man named John Ryan took advantage of the opportunity and drove the wagon to the corner of Fuiton and Greenwich streets. William Schmidt, of 191 Washington street, said that he saw Ryan drive away. A search in the basement in the above neighborhood showed that the meat had been hidden there. Ryan was brought before Justice Dowling and committed to answer.

THE COURTS.

Convicted of Mailing Obscene Publications-Condemned Spirits-Charge Against an Ex-Judge of Selling Counterfeit Currency-The Seward Will Case-The National Guard Imprisonment Litigation-Important Decision-Court of Special Sessions Cases.

UNITED STATES CIRCUIT COURT.

The Colgate Obscene Publication Case-Feand tiuilty and Remanded for Sentence.

The United States vs. James S. Colgate.—The defendant was indicted for having, on the 15th day of April last, caused to be deposited for mailing in the Post Office in this city printed pictures of an obscene character. The particulars of this case were fully reported at the time of the arrest, and the preliminary examination of the defendant before the Commissioner, and which resulted in his being held for trial. This is one of those cases in which the parties offending have done much to outrage public decency and to sow the seeds of immorality infought the length and breakth of the land. Soon after General Jones took charge of the Post Office he resolved upon a vigorous execution of the statute which forbids the use of the United States mails for the purpose of the conveyance of dissemination of indecent publications, which previously had unchecked liberty, to the serious detriment of public morals, particularly in our suburban districts. The case of Colgate was an aggravated one, and Chief Detective Gayler was an aggravated one, and Chief Detective Gayler was an suburban districts. The case of Colgate was an aggravated one, and Chief Detective Gayler which is the serious deriment of public morals, particularly in our suburban districts. The case of Colgate was an aggravated one, and Chief Detective Gayler when the charge home against Colgate, and yesterday the latter was arraigned, put upon trial and convicted. The first witness calted was

James Gayler, who was examined by the United States District Attorney, and testined that the letters produced in court, and which he identified, were those received by letter carrier Morrison, and which he had received from the prisoner.

Freacrick S. Morrison was the next witness examined. He said that on the 15th day of April last he, while on his rounds, went into the office occupied by Colgate, at No. 1 New Chambers street, with some mail matters: that Loigane told him to take some mail matters that lay on the table in the office occupied by Colgate, at No. 1 New Chambers street, with some mail matters: that colgate told him to take some mail matters: that colgate told him to take some mail matters: that colgate told him to take some mail matters: that colgate told him to take some mail matters that any on the table in the office occupied by Colgate, at No. 1 New Chamb iminary examination of the defendant before the Commissioner, and which resulted in his being held

Condemned Spirits. Return of process having been made and no claim-

ants appearing for the following property, it was condemned by default:—One barrel of distilled spirits, found on board the steamer Stonington, and one chest of silver leaf. Charge Against an Ex-Judge for Selling

Counterfeit Money.

The United States vs. Ethelred Woodward.—The defendant, who is said to have once been a judge of one of the Southern States district courst, was ar-

one of the Southern States district courst, was arraigned on an indictment charging him with having sold counterfeit currency to George Marshal and John Campbell, at the belmont Hotel, in this city, on the 10th day of July last.

George Marshal, the first witness examined by the prosecution, deposed that at the time and plase stated in the indictment the prisoner engaged to supply him and Campbell with counterfeit twenty-five cent stamps to the amount of \$1,000 at the rate of thirty cents per dollar; that he and Campbell gave prisoner \$300; he (witness) contributed \$100 of the same; that prisoner then left the Belmont Hotel; returned after about an hour with a package under his arm, which he told witness contained the \$1,000; that he did not wish to deliver it personally; but would leave it in one of their rooms; that he weat up stairs, and on returning told witness that he would find it on the bed under the senects. During the examination of this witness the court adjourned till to-day at eleven o'clock.

SUPREME COURT-SPECIAL TERM.

The Seward Will Case-Important Decision.

tain a settlement of the will of the late Edwin P. Seward. When he died his property was left to the children of his two brothers, E. P. and G. W. Seward, then born. A clause was inserted that any children born after should have the same share, E. P. Seward executors at his request divided the property and gave him his share to support and educate his Gren, who claimed their part of the property, and to have it settled what they are entitled to is the object

of the suit.

Judge Cardozo, in his opinion, says:—"The will prohibited the executors from making the division of the estate into twenty parts, which the testator directed should be done within one year after the prohibited the executors from making the division of the estate into twenty parts, which the testator directed should be done within one year after the decease of the testator, but, except to the extent of that prohibition, directed such division to me made as soon after his death as convenient. This vested in the executors a discretion over which, except in case of fraust or manifest abuse, this court would not exercise any control. It is enough to say that no such case is presented here, and that in view of the fact that the allotments which the executors were to make could not be blading on the minor legatese, until they had opportunity to acquiesce in them after their majority. I cannot say that the period which the executor allowed to elapse between the time when such acquiescence took place and when they actually made the division was at all unreasonable. In respect to the clause of the will which directs that the shares of E. P. and G. W. Seward shall open to let in after born children, I think the executors have misconstrued the will. I do not mean to say that I do not think it very likely that the testator meant that after-born children should take, equally with the others, a share of the income accrued prior to the birth of such after-born children, but the will, while susceptible of that construction has also susceptible of the construction that each child shalt share the frome arising from the birth of such after-born children, but the will, while susceptible of the construction that each child shalt share the income arcsing from the birth of such after-born children, but the will, while susceptible of the construction that each child shalt share the income arising from the birth of such support and the other each child shalt share the income arising from the birth of such support and the other each child shalt share the income arising from the line of its birth, and as it is very well settled that when one construction in this case, because otherwise the provisions would be in conflict with the Rev

The National Guard Littgation-Imprisonment for Fines Illegal. Before Judge Cardozo.

In re James Gasner.—The relator was brought before the court on Monday, on a writ of habeas corpus, seeking his discharge from Ludiow street jait, where he was imprisoned on an order from court martial for non-payment of fines.

ner must be acquitted. He says:—The act of March 17, 1870, does not aid the respondent, because sec tion 214 confines itself to proceedings to enforce the tion 214 confines itself to proceedings to enforce the collection of fines and penalties imposed by any court martial authorized by that act." The court martial authorized by that act." The court martial which imposed the penalty upon the relator was not authorized by the act of March 17, 1870, which was not then in existence, but was authorized by the statutes as they existed when that court convened in February, 1870. The case must therefore be decided according to the law as it stood prior to the recent legislation. Legal proceedings theretofore had not been affected or destroyed by that statute (28). Judge Ingramm, before this recent statute, had held in the marter of william sinciair that the power of imprisonment for non-payment of military fines had been taken away, without stooping to examine the question. I follow his ruling, as a matter of course. It would produce mextricable confusion and bring the administration of justice into contempt if each officer of co-ordinate purisdiction should treat every question as if it were res nove until the point had been decided by an appellate tribunal. It follows that the prisoner must be discharged.

COULT OF SPECIAL SESSIONS

Before Justices Dowling and Shandley, The calendar contained the names of forty defendants, the unjority of whom were charged with perty larceny. Though the calendar was large, and few

of the defendants pleaded guilty, the court was adjourned at tweive o'clock.

AN ASSAULT AT ST. GEORGE'S HOTEL.

John Bain, a colored man, went to the St. George's Holel on Wednesday evening, and, without nolifying Mr. William H. Fairch ld, the proprietor of the hotel, proceeded up starrs to room No. 63, to deliver a message to a lady staying there. Mr. Fairchild remonstrated with him as he went up stairs. Eain, on his return, used abusive language to Mr. Fairchild and struck the latter as he went through the doorway.

doorway.

Dr. Myer Levett, a physician, said he had em ployed Ban for four years, and always found him a The delengant was remanded until Saturday for

sentence.

A CAUTION TO BOYS.

James McGafrey was one of a crowd of three boys who fired somes at the first floor windows of Kate Gafrey, who keeps a store on Sixth avenue and Forty-second street. The windows were broken and damage done to the extent of thirty dollars. McGafrey was caught by officer Smith, of the Twen y-ninth precinct, and admitted that he had a stone in his hand, but did not throw it. Committed to the Pententiary for three months.

ACCIDENT AT STEWAST'S BUILDING.

Yesterday afternoon a man named Frederica Vindeman, aged thirty-five years, of 335 Fifth street, while at work on Stewart's new iron building, co.ner of Thirty-third street and Fourth avenue, was everely injured by a derrick. Sent to Bellevue Hospital.

REAL ESTATE MATTERS.

The following are particulars of yesterday's and

MARRIAGES AND DEATHS.

Married.

Married.

Mead—Wright,—On Monday, May 23, by the Rev. Abbott E. Kittridge, Erastus P. Mead to Liliar A. Wright, all of New York. No cards.

McMullen—Walker.—On Monday, May 23, by the Rev. James Miliett, at the bride's residence, Robert McMullen, late of Detroit, to Miss Georgians Walker, all of this city.

Taylor—Christie.—On Monday, May 23, by the Rev. Whilam Johnson, at the residence of the bride's parents, William B. S. Taylor, of Brookiya, E. D., to Annie Christie, of this city. No cards,

Thompson—Perry.—On Saturday, May 7, by the Rev. W. R. Ramsay, Mr. Gilroy S. Thompson, of New York, to Miss Laura R. Perry, of Danville, Vt.

VI.

Danville, Vt., papers please copy.

TILLEY—ARMSTRONG.—In Brooklyn, on Saturday,
May 21, by the Rev. Dr. Higbie, James E. Tilley to
Sarah M. Abmstrong.

Died.

ACKERSON.—On Monday, May 23, George Lockwoon, only child of George T. and Kate H. Ackerson, aged I year, 2 months and 22 days.

The relatives and friends of the family are respectingly invited to attend the funeral, from his parents residence, 29 Jones street, this (Wednesday) afternoon, at one o'clock.

Californa and Chicago papers please copy.

ALLEN.—On Tuesday, May 24, Mrs. MARY ALLEN, aged 77 years.

ALLEN,—On Tuesday, May 2s, Mrs. Mary Allen, aged 77 years.

The relatives and friends of the family are respectfully invited to attend the funeral, on Thursday atternoon, at half-past one o'clock, from the Enited Presbyterian chu ch, in Seventh avenue, between Twelfih and Thateenth streets.

Betchinon.—On Monday, May 23, Ann Betchinon, widow of John J. Beechnor, of Hawthorn Hill, courty Cork, Ireland, aged 61 years.

The relatives and iriends of the family, and of her sons Jerome and John Beechnor, and her sons-in-aw Patrick Carroli and Norman Ames, are invited to attend the funeral, from the residence of her son-law Patrick Carroli and Norman Ames, are invited to attend the funeral, from the residence of her son-law los fast Eighty-second street, to St. Teresa's church, corner of Henry and Rutgers streets, where a requiem mass will be offered for the repose of her son, at fail-past ten o'clock, from thence to Caivary Cemetery, at half-past one-o'clock, for interment, Cork, California and New Oricans papers pieuse copy.

copy. Ganorina and New Orleans papers please copy.

Bradley.—In Brooklyn, on Sunday, May 22, after a long and severe filness. Ann Jane Bradley, aged 25 years.

Her remains will be taken from her late residence, No. 27 Front street, Brooklyn, to the Cemetery of the Holy Cross, Flatoush, this (Wednesday) afternoon, at hall-past two of clock. Relatives and friends are respectfully invited to attend.

hal-past two o clock. Relatives and friends are respectfully invited to attend.

Brinkermoff.—On Tuesday, May 24, William H.
Brinkermoff.—On Tuesday, May 24, William H.
Brinkermoff.—On Tuesday, May 24, William H.
Brinkermoff.—On Tuesday and Friends; also the members of Washington Lodge, No. 21, F. and A. M.; Washington Londery, No. 12, R. A. M., and Columbian Commandery, No. 1, K. T., are invited to attend the funeral, from his late residence, 341 West Houston street. on Thursday morning, at half-past ten o'clock.

funeral, from this late research, at haif-past ten o'clock.

Washington Lodge, No. 21, F. and A. M.—The memoers of this Lodge are hereby summoned to meet at the lodge room, on Thursday, at 9% o'clock A. M., to pay the last tribute of respect to our late brother, W. H. Brinkerhoffer, By order of the W. M.

R. B. COPPINS, Secretary.

Washington Chapter are hereby summoned to meet at the Chapter are hereby summoned to meet at the Chapter arom, No. 275 Bleecker street, on Thursday morning, at haif-past nine o'clock, to pay the last tribute of respect to our late companion, W. H. Brinkerhoff, By order of the H. P.

W. H. PATTERSON, Secretary.

BROWN.—At Jacksonville, Fig., on Saturday, May 14, Geonge O. Brown.

The remains will be interred from the residence of his sister, Mrs. S. E. Underhill, 13 John street, near

his sister, Mrs. S. E. Underhill, 13 John street, near State, Newark, this (Wednesday) afternoon, at two o'clock. His triends who may wish to attend the funeral can take the one o'clock train on the Morriand Essex Railroad and will be landed within toree minutes of the house.

CARMER.—On Monday evening, May 23, ALLACF, wife of Philip Caraher, aged 55 years.

wife of Philip Caraher, aged 55 years.

The funeral will take place this (Wednesday) after-noon, at three o'clock, from Ferry street, Hunter's Point, L. I.

noon, at three o'clock, from Ferry street, Hanter's Point, L. I.

CLAFFY.—On Tuesday, May 24, Charles P., son of John and Margaret Clafty, aged 4 years, 1 month and 24 days.

The relatives and friends of the family are respectfully invited to attend the funeral, from No. 135 Court street, Brooklyn, this (Wednesday) atternoon, at three o'clock.

CONNELL.—On Tuesday, May 24, at the residence of her parents, 108 East F.f.V-fifth street, Katie, only daughter of John and Honora Connell, in the 26th year of her age.

Notice of funeral to-morrow.

CONNOLLY.—On Monday, May 23, JAMES J. CONNOLLY, in the 28th year of his age.

The funeral will take place from his late residence, No. 17 Allen street, this (Wednesday) attornoon, at three o'clock.

DUYGENIOK.—On Sonday morning, May 22, Charles A. Duyckinck, in the 72d year of his age.

The relatives and friends and the members of the Bookbinders' Benevolent Society are respectfully invited to attend the funeral, from St. Mark's church, corner of Fourth and South Fifth streets, Williamsburg, this (Wednesday) afternoon, at three o'clock.

FEALY.—On Tuesday, any native of Toursets, parish of Duagh, county Kerry, Ireland, in the 36th year of his age.
The funeral will take place from his late residence, 306 East Twenty-third street, on Thursday afternoon, at one o'clock.
FLANDERS,—Suddenly, in Brooklyn, on Monday,
May 23, JOHN G. FLANDERS, aged 56 years and 7
months.

months.

Friends and relatives are invited to attend the functat, on Friday afternoon, at haif-past one o'clock, from his late residence, No. 35 Willoughby

FORCE.—In Harlem, on Monday, May 23, MARTHA FORCE.—In Hariem, on Monday, May 23, MARTHA FORCE aged 30 years, 11 months and 16 days.

The relatives and friends of the hamily are respectfully invited to attend the funeral, from the residence of her mother, Mrs. W. Manisheld, 120th street, between Third and Fourth avenues, this (Wednesday) afternoon, at two o'clock.

FOX.—On Tuesday, May 24, JOEL B. Fox, in the 78th year of just age.

year of his age.

Funerat from his late residence, corner Vandam and Macdengal street, son Thursday, at twelve o'clock noon.

and Macdongal street, son Thursday, at twelve o'clock noon.

BENSVOLENT LODGE NO. 28, F. AND A. M.—
Brethren—You are hereby summoned to attend a special commonication of the Lodge, at their rooms, No. 8 Linoa square, on Thursday, at twelve o'clock noon (sharp), for the purpose of attending the juneral of our late brother, Past Master Joel B. Fox. Members of Phenix Chapter and members of the fraternty in general are invited to attend.

W. J. Surke, secretary. W.M. H. DAVIS, M. GALLAGHER.—On Monday, May 23, Mary A. GALLAGHER.—On Monday, May 23, Mary A. GALLAGHER, aged 55 years, 1 month and 20 days.

The relatives and friends of the family, of her son, William F. Gallagher; son-in-law, James J. Shields, and nephew, B. J. Gallagher, are respectfully invited to attend the funeral, this (Wednesday) merring, at nine o'clock, from her late residence, 208 East They-mith street, to the Church of the Nativity, Socond avenue, near Third street, where a require high mass will be offered up, thence to Calvary Cemetery for informent.

mass will be offered up, thence to Calvary Cometery for interment.

St. Lonis and Boston papers please copy.

Members of the Friendsmp Association are hereby requested to meet at the club rocem, corner of Four-tocath street and Third avenue, this (Wednesday) morning, May 25, at one o'clock, to a tend the fancral of the mother or our brother member Withiam F, Gallagher.

T. J. BENNET, President.

WILLIAM H. JOHNSON, Secretary.

HALSEY, Aged 48 years.

The funeral will take place from his late residence, No. 152 East Thirty fourth street, this (Wednesday) afternoon, at two o'clock. The relatives and friends are respectfully invited to attend without further notice.

lice.

Af a special meeting of the Andrew Jackson Club, held at their rooms on Monday evening, May 23, 1870, the following preamble and resolutions were adopted:—
Whereas this ciab has received with feelings of the deepest sorrow intelligence of the death of our late associate and friend, William II. Halsey; therefore be it

bim, mourn the loss of a truly good man, who was distinguished for his enterprise and probity as a merchant, his sympathy for those in affliction and poverry, and for his affection and devotion as a parent and relative, while as a friend geniality truthtuiness and forbearance were among his many virtues. He died as he had lived honored, respected and beloved and at peace with all markind.

Resolved, That the chairman and secretary of this meeting be and they are hereby requested to properly authenticate and cause to be engrossed these resolutions, and transmit them to the afflicted family of the deceased.

Resolved, That the members of the Andrew Jackson Cuth, in a body, attend the funeral of our deceased fellow brother.

LAWRENCE D. KIERNAN, Chairman.

M. T. Dalty, Secretary.

Hogan,—On Monday evening, May 23, at eleven o'clock, Many A. Hogan, wife of James A. Hogan.

Relatives and friends of the family are respectfully invited to attend the funeral, this (Wednesday) afternoon, at two o'clock, from her late realdence, corner of Vine and McKenna streets, Brookip.

Hughes,—On Monday, May 23, George Hughes, youngest son of Fatrick and Julia Hughes, aged 8 months and 9 days.

The friends of the family are respectfully requested to attend the funeral, from the readence of his parents, 316 East Twedth street, this (Wednesday) afternoon, at two o'clock.

Hugher,—On Monday, May 23, at 167 Grand street, near centre, Eesjanis Huyminy, in the 32d year of his age.

Huthins,—Suddenly, on Monday evening, May 23, 024HABINE HUTCHINOS,—Gleest daughter of the late John and Mary Hutchings.

The funeral services will take place from the residence of her brother, R. R. Hutchings, Plainfield, N. J., on Thursday morraing, at eleven o'clock. The relatives and friends of the family are respectfully invited to attend. Train leaves foot of Liberty street, New York, at mine o'clock A. M.

Johnson,—In Marion, Ohio, on Saturday, May 21, Johnson,—In Marion, o'clock.

Johnson,—In Marion, ohio, on Saturday, May 21, of consumption, George Cons

at end the inneral, from her lake residence, his loss street. Williamsburg, this (Wednesday) afternoon, at two o'clock.

MALVEY.—On Tuesday, May 24, Charles J. Malvey, son of Charles and Mary Malvey, aged I year. I months and 2 days.

The re atives and friends of the family are respectfully invited to attend the funeral, from the residence of his parents, 400 Fearl street, on this (Wednesday) afternoon, at two o'clock.

MONTEITH.—In Philadelphia, on Tuesday, May 24, EMMA, wide of dames Montelth, of Washington Heights, New York, in the 3rst year of ner age, Relatives and friends are invited to a rend the funeral from the residence of W. C. Flangan, Esq., 2.120 Sprace street, Philadelphia, on Friday afternoon, at two o'clock. Interment at Laurel Hill. Train leaves Cortland street at haf past nine A. M. Moore.—In this city, on Sunday morning, May 22, of heart disease, Spracka Glebert, third son of D. F. and Amea E. Moore, aged 10 years and 2 months.

2 months.

The relatives and friends of the family are invited to attend the funeral, from the residence No. 1 East Forty-first surget, this (Wednesday) atternoon, at two

o'clock, McCarre, o', this wearnessay) atternoon, at two 'clock, Mrs. Marx McCarre, a ster a short and severe fliness, a native of Fangh, parish of Dumbine, county Cavan, Ireland, in the 70th year of her age.

The friends and realives and those of her brothers, Nicholas and Owen Byrles, are respectfully invited to attent the inneral, from her hate residence, 534 East Fourteenth street, on Friday morning, at ten o'clock, to the Church of the Immaculate Conception, Fourteenth street, near avenue A, where a solemn high mass of resultent with the offered up for the repose of her sonl, after which her remains will be taken to Calvary Cemetary for interment.

Oregon papers please copy.

Oregon papers please copy, McCowen.-On Monday, May 23, DANIEL McCowen.-On Monday, May 23, DANIEL Mc COWEN.

Funeral to take place from his late residence, 301. Funeral to take place from his late residence, 301 West Twenty-seventh street, at one oblock.

NSSRITT.—On Monday, stay 23, Ediza, wife of James Nest Pt, after a long and painful filness, which she bore with Christian fortitude, in the 57th year of her age.

The relatives and friends of the family are respective.

The relatives and friends of the family are respectfully requested to attend the funeral, from her late residence, 73 Schermerhorn street, Brooklyn, this (Wednesday) afternoon, at two o'clock.

NEPPERI.—At Hastings upon Hulson. Monday May 23, CATHARISE E., wife of John P. Neppert, aged 64 years and 6 months.

The funeral services will take place at her late residence, Hastings on Hudson, an Wednesday, May 23, at four P. M. The remains will be taken to Greenwood Cemetery for interment on Tauraday morning. Carrages will be in waiting on the arrival of the Adelphi at 1001 of Harrison street, at ten A. M. The friends of the family are respectfully invited to attend.

iriends of the lamity are respectfully invited to
national.

Nostrand.—At Fiatlands, at the residence of her
son-in-law, Jacob Ryerson, Coenella L. Nostrand,
in the 63d year of her age.

The relatives and friends of the family are respectfully invited to attend the inneral, on Thorsday siternoon, at two o'clock, from the Reformed church
at East New York.

PENDELTON.—On Sunday, May 22, JOSEPH A. PENDELTON, aged 45 years.

The relatives and iriends of the family are respectfully invited to attend the funeral, from the Method 1st
Euscopal church in Eighly sixth street, between
Third and Fourth avenues, on Thursday afternoon,
at one o'clock.

Third and Fourth avenues, on Thursday afternoon, at one o'clock.

SYMMONS.—Architect Chapter, No. 4, A. and P. R.
The Sir Knights are hereby summoned to attend the functal of our late Sir Knight J. A. Pendelton, on Thursday, May 28. Meet at Asylum, Pitty-fourth street and Third avenue, at 12 o'clock, M. Gramerey, Columbian, George Washington and other chapters respectfully invited to join with us. By order, MOSES BERNHARD, Most Wise.

C. F. HENLEY, Archivist.

ARCHITECT LOBER, No. 519, F. AND A. M.—Members are hereby summoned to attend a special communication of Architect Lodge, to be field at their rooms, Eighty-sixth street, between Third and Fourth avenues, on Thursday, the 26th instant, at twelve o'clock, for the purpose of attending the funeral of our later Brother J. A. Pendelton. Brothers of abser lodges are respectfully invited to attend. By order,

J. T. VAN WINKLE, Master.

WILLIAM A. CONKLIN, Sceretars,

RANSOM.—On Thresday, May 24, MARIA, wife of Albert Ransom, in the 55th year of her age.

The relatives and friends, and those of her brother, Adderman Fellx O'Nell, are respectfully invited to attend the funeral, on Thursday atternoon, at haltpast o'clock.

ROBERTSON.—On Monday, May 25, after a short

nttend the funeral, on Transday alternoon, at hat-past o'clock.

ROBERTSON.—On Monday, May 25, after a short filmess, William A. ROBERTSON, for many years superintendent of Messrs, Arnold, Constable & Co.'s, in the 54th year of his age.

The funeral will take place from No. 57 State street, Brooklyn, this (Wednesday) morning, at mine o'clock.

Son Robinson, in the 54th year of his age.

Funeral to take place from his late residence, at Brewsters, Putnam county, N. Y., this (Wednesday) afternoon, at half-past twelve o'clock. Cars will be provided at the Harlem depot, at half-past ten o'clock in the morning, returning after the services.

SWETLAND.—At Platisburg, on Monday, May 28, Mrs. ELIZABETH SWETLAND, in the 86th year of her age.

Mrs. ELIZABETH SWETLAND, in the 86th year of her age.

The funeral will take place at Platisburg on Friday afternoon, at three o'clock.

Spaulding.—On Monday, May 23, of congestion of this brain. Alepted James, only child of Alfred S. and Sarah F. Spaulding, aged 8 months and 12 days.

The relatives and friends of the family are respectfully invited to attend the funeral, from the residence, No. 370 Eighth avenue, this (Wednesshay) afternoon, at one o'clock. The remains will be taken to Woodhawn Cemetery for interment.

Thomas.—On Monday, May 23, at half-past four o'clock A. M., after a severe illness, John Thomas, aged 41 years and 11 months.

His relatives and the friends of the family, also the members of Waldense Lodge, No. 9, A. P. A. are invited to attend the laueral, from his late residence, 111 Madison Street, New York, this (Wednessday) afternoon, at two o'clock, without forther notice.

day) afternoon, at two o'clock, without forther notice.

Enderfill.—In Brooklyn, suddenly, on Monday, May 28, Maria Louisa, wife of William H. Underfill, and daugnter of William H. and Sarah Anderson. Relatives and friends are invited to attend the fineral, from St. Mark's church, Adelphi street, between Dekalb and Willoughby avenues, this (Wednesday) afternoon, at three o'clock.

Verplanck.—On Tuesday, May 24, William Walton Verplanck.

Funeral will be held at Trinity church, Fishall village, on Taursday, at twelve o'clock noon.

Wellman.—On Sunday, May 22, at his residence, it lexington avenue, G. H. Wellman, son of G. F. and carrie M. Wellman, aged 23 years.

Jeruans were taken to Mount Auburn.

Boslon papers please copy.

Wessells.—At Rio Janeiro, of yellow fever, on Sunday, April 24, Ferdinaway Wessells, from Vegesack, Master of the North German bark Ernsideria, aged 42 years.

Willers.—In Brooklyn, on Monday, May 25, Andrew J. Willers, M. D., aged 33 years and 6 months.

The relatives and friends of the family are re-

months.

The relatives and friends of the family are respectfully invited to attend the funeral services, from the residence of his father-in-law, Colonel B. Admonds, 151 Lafayette avenue, this (Wednesday) afternoon, at four octock, and from the Presbyterism church, Hempstead, L. I., on Thursday morning, 21 hall-past cieven o'clock. The attention of the members of Stella Lodge, No. 485, F. and A. M., is called to the special communication in the Brooklyn papers of Tuesday and Wednesday.

WILLIAMS.—At Ravenswood, L. I., on Monday, May 23, John B. Williams, in the 70th year of his age.

The relatives and friends of the family are invited

Thursday afterneon, at two o'clock. Function of vices at the church, at 2:30. Carriages will be it attendance at the Astoria landing to meet the Haxtern beat, which layers beat the church of the chu Resolver. That by his decease this club, together lem beat, which leaves Peck slip at 1:30, and the with all those who had the happiness to have known down beat which leaves Rarical at the same hear.